

Adopted	Rejected
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## COMMITTEE REPORT

YES:	9
NO:	0

### MR. SPEAKER:

*Your Committee on* **Government and Regulatory Reform**, to which was referred Senate Bill 379, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1           Page 4, delete lines 6 through 39, begin a new paragraph and insert:
- 2           "SECTION 4. IC 4-22-2-21 IS AMENDED TO READ AS
- 3           FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. (a) If incorporation
- 4           of the text in full would be cumbersome, expensive, or otherwise
- 5           inexpedient, an agency may incorporate by reference into a rule part or
- 6           all of any of the following matters:
- 7               (1) A federal or state statute, rule, or regulation.
- 8               (2) A code, manual, or other standard adopted by an agent of the
- 9               United States, a state, or a nationally recognized organization or
- 10              association.
- 11              (3) A manual of the department of local government finance
- 12              adopted in a rule described in IC 6-1.1-31-9.
- 13           (b) Each matter incorporated by reference under subsection (a) must
- 14           be fully and exactly described.
- 15           (c) An agency may refer to a matter that is directly or indirectly

referred to in a primary matter by fully and exactly describing the primary matter.

(d) Whenever an agency submits a rule to the attorney general, the governor, or the ~~secretary of state~~ **publisher** under this chapter, the agency shall also submit a copy of the full text of each matter incorporated by reference under subsection (a) into the rule, other than the following:

(1) An Indiana statute or rule.

(2) A form or instructions for a form numbered by the commission on public records under IC 5-15-5.1-6.

(3) The source of a statement that is quoted or paraphrased in full in the rule.

(4) Any matter that has been **previously** filed with the:

**(A)** secretary of state before ~~the date that the rule containing the incorporation is filed.~~ **July 1, 2006; or**

**(B)** publisher after **June 30, 2006.**

(5) Any matter referred to in subsection (c) as a matter that is directly or indirectly referred to in a primary matter.

(e) An agency may comply with subsection (d) by submitting a paper or an electronic copy of the full text of the matter incorporated by reference."

Page 23, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 21. IC 4-22-8-2, AS AMENDED BY P.L.215-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) The publisher shall publish a serial publication with the name Indiana Register at least six (6) times each year.

(b) Notwithstanding any law, after June 30, 2006, the publisher shall publish the Indiana Register in electronic form only. ~~However, the publisher shall distribute a printed copy of the Indiana Register to each federal depository library in Indiana.~~

(c) The publisher may meet the requirement to publish the Indiana Register electronically by permanently publishing a copy of the Indiana Register on the Internet.

SECTION 22. IC 4-22-8-5, AS AMENDED BY P.L.215-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5. (a) The publisher shall compile, computerize, index, and print a codification of the general and

1 permanent rules of the agencies with the name Indiana Administrative  
2 Code. The publisher may publish, with the Indiana Administrative  
3 Code, any tables, explanatory material, or other documents that the  
4 publisher considers appropriate.

5 (b) The publisher shall establish a system to maintain, supplement,  
6 and recompile the Indiana Administrative Code when necessary or  
7 appropriate.

8 (c) Notwithstanding any law, after June 30, 2006, the publisher shall  
9 publish the Indiana Administrative Code in electronic form only.  
10 ~~However, the publisher shall distribute a printed copy of the Indiana~~  
11 ~~Administrative Code to each federal depository library in Indiana.~~

12 (d) The publisher may meet the requirement to publish the Indiana  
13 Administrative Code electronically by permanently publishing a copy  
14 of the Indiana Administrative Code on the Internet."

15 Renumber all SECTIONS consecutively.

(Reference is to SB 379 as printed January 20, 2006.)

**and when so amended that said bill do pass.**

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Representative Buck